

**DIPLOMATIC AND
CONSULAR PROPERTY**

**Agreement Between the
UNITED STATES OF AMERICA
and BRAZIL**

Effected by Exchange of Notes at
Brasilia June 1, 2007



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

BRAZIL

Diplomatic and Consular Property

*Agreement effected by exchange of notes at
Brasilia June 1, 2007;
Entered into force January 18, 2008.*

G/SGEX/SGAP I/ 01/APAT BRAS EUA

Em 01 de junho de 2007.

Senhor Embaixador,

Com base no princípio da reciprocidade de tratamento previsto nas Convenções de Viena sobre Relações Diplomáticas e sobre Relações Consulares;

Considerando que, com respeito à prática de atos civis e comerciais, incluindo a transferência da titularidade da propriedade de imóveis, o Governo dos Estados Unidos da América não exige de Missões Diplomáticas e Repartições Consulares de Carreira em território dos Estados Unidos da América o cumprimento de obrigações para com a seguridade social, tenho a honra de propor a Vossa Excelência, em nome do Governo da República Federativa do Brasil, a adoção, por nossos Governos, do seguinte:

- com base na reciprocidade, o Governo brasileiro emitirá em favor da Embaixada e Repartições Consulares de Carreira dos Estados Unidos da América, sempre que solicitado, documentos de expedição a cargo da Secretaria da Receita Federal do Brasil, os quais permitirão a transferência da titularidade de imóveis diplomáticos e consulares, inclusive residenciais, de propriedade dos Estados Unidos da América no território brasileiro;

- o Governo do Brasil e o Governo dos Estados Unidos da América concederão, conforme a legislação interna aplicável de cada país, a aprovação necessária para aquisição, venda ou outra forma de disposição de imóveis diplomáticos e consulares,

A Sua Excelência o Senhor
CLIFFORD M. SOBEL,
Embaixador Extraordinário e Plenipotenciário dos
Estados Unidos da América

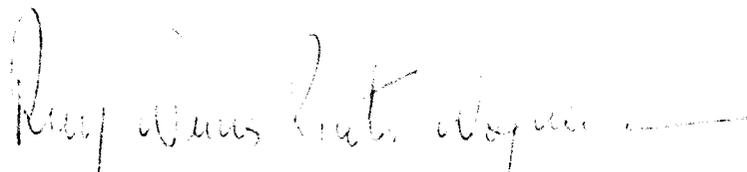
inclusive residenciais, em seus respectivos territórios.

2. Este Acordo não terá nenhuma implicação sobre as posições de ambas as Partes com respeito à interpretação das Convenções de Viena sobre Relações Diplomáticas e Consulares em matéria de previdência social.

3. Caso o Governo dos Estados Unidos da América concorde com as propostas acima, esta Nota e a Nota de resposta de Vossa Excelência, em que fique expressa tal concordância, constituirão Acordo entre o Governo da República Federativa do Brasil e o Governo dos Estados Unidos da América, cuja vigência terá início na data da segunda Nota diplomática em que um dos Governos informe o outro do cumprimento dos respectivos requisitos legais internos para sua entrada em vigor.

4. O presente Acordo vigorará por tempo indeterminado e poderá ser denunciado a qualquer momento, por iniciativa de uma das Partes, mediante notificação escrita, que surtirá efeito 1 (um) ano depois de seu recebimento pela outra Parte.

Aproveito a oportunidade para renovar a Vossa Excelência os protestos de minha alta consideração.



RUY NUNES PINTO NOGUEIRA
Ministro de Estado, interino, das Relações Exteriores

No. 211

The Embassy of the United States of America presents its compliments to the Ministry of External Relations of the Federative Republic of Brazil and has the honor to refer to your note No. 01 of June 1st, 2007, which reads as follows in English:

Having in mind the principles of reciprocity of treatment found in the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations;

1. Considering that in relation to the performance of civil and commercial actions including the transfer of title of real estate, the Government of the United States of America does not impose on diplomatic missions and career consular posts established in the U.S. territory the obligation to participate in the host State social security system, I have the honor to propose to Your Excellency, on behalf of the Federative Republic of Brazil, the adoption, by our two governments, of the following:

- on the basis of reciprocity, the Government of Brazil shall issue, whenever requested, on behalf of the Embassy and Career Consular Posts of the United States of America, pertinent documentation to be provided by the Brazilian Federal Revenue Service that will allow for the transfer of title of diplomatic and consular properties, including residences, of the United States of America in the Brazilian territory.

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- the Government of Brazil and the Government of the United States of America shall grant, according to their applicable internal legislation, the necessary approval for the acquisition, sale or other disposition of diplomatic and consular properties, including residences, in their respective territories.

2. This agreement shall bear no impact on the positions of both Parties regarding the interpretation of the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations on the subject of social security matters.

3. Considering that the Government of United States of America agrees with the above proposals, this Note and the reply Note of Your Excellency, in which such concurrence is expressed, shall constitute an Agreement between the Government of the Federative Republic of Brazil and the Government of the United States of America, that shall come into force on the date of the second Diplomatic Note in which one of the two Governments informs the other about the fulfillment of the respective internal legal requirements for its coming into effect.

4. The present Agreement shall remain effective for an indefinite period of time and may be denounced at any time by initiative of either Party, upon written notification that will come into effect one year after its receipt by the other Party.

I have the honor to inform you that the Government of the United States of America agrees with the proposals contained in your note. Therefore, your note and this note in

reply constitute an agreement between the Government of the United States of America and the Government of the Federative Republic of Brazil, which shall enter into force on the date of the second diplomatic note in which one of the two governments informs the other about the fulfillment of its respective internal legal requirements for entry into force.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of External Relations of the Federative Republic of Brazil the assurances of its highest consideration.

Enclosure:

DipNote from Brazilian Government as stated (in Portuguese)

Embassy of the United States of America,

Brasilia, June 1, 2007.

